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March 22, 2007

Hon. Faith S. Hochberg
United States District Court
District of New Jersey
50 Walnut Street
Newark, NJ 07102

RE: McCoy v. Health Net, Inc., et al.
Civil Action No. 03-cv-1801 (FSH)
Wachtel, et al. v. Health Net, Inc., et al.
Civil Action No. 01-cv-4183 (FHS)

Dear Judge Hochberg:

I am writing to update the Court on the status of my progress as a Special Discovery Master as set forth in the Court's January 30, 2007 Order and to request an additional six week period until May 15, 2007 to submit my final report.

All counsel have worked diligently to provide the evidence needed for me to act as Special Discovery master. The parties have submitted documentary evidence and participated in a number of conference calls. In addition, I took testimony on March 15 and 16, 2007, even continuing when the law office was closed due to inclement weather.

Near the close of second day of testimony, I requested from defendants' counsel additional documentary evidence in a form specified by me. The information which I seek is a substantial undertaking. In a conference call today, defendants' counsel indicated that they believed they could submit to me the information I have requested in documentary form by April 11, 2007. Additional testimony will be needed as a result of the documentary evidence and we have set aside April 17, 18 and 26 for the testimony. It is my expectation that I would be able to provide the Court with my report no later than May 15, 2007.¹

¹ There is one potential additional issue which may impact my report. Defendants have discovered additional tapes which are being restored. It is unknown at this point whether they are pertinent to the inquiry.

I regret asking for additional time, however I believe the information I have requested is the most expedient way for me to accomplish the tasks requested by the Court in its January 30, 2007 order. All counsel on both sides have been diligent and timely with regard to my requests in this matter.

Accordingly, I respectfully request that the Court extend my date to submit a report as Special Discovery Master from March 30, 2007 to May 15, 2007.

Respectfully submitted,



Cathy Fleming

cc: Hon. Patty Shwartz

(by email)

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